

**United States District Court****for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Douglas E. Wittner

Case Number: 2:08CR00174-001

Address of Offender: Homeless

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: August 12, 2010

Original Offense: Conspiracy to Commit Credit Card Fraud, 18 U.S.C. § 371; Possession of 15 or More Access Devices with Intent to Defraud, 18 U.S.C. § 1029(a)(3) and (c)(a)(A)(i); Credit Card Fraud, 18 U.S.C. § 1029(a)(2)

Original Sentence: Prison 30 months  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Timothy J. Ohms

Date Supervision Commenced: April 5, 2013

Defense Attorney: Amy H. Rubin

Date Supervision Expires: April 4, 2016

---



---

**PETITIONING THE COURT**
**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

1

**Standard Condition # 2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

**Supporting Evidence:** Mr. Wittner reported to the U.S. Probation Office on January 21, 2014, following his release from jail, due to violations of his state supervision. He was scheduled for a substance abuse intake appointment on January 23, 2014, and was advised that at that time, he would be given further directions for reporting to this officer.

On January 24, 2014, the undersigned officer spoke with Mr. Wittner over the phone and directed him to report to the U.S. Probation Office on January 27, 2014, at 4:30 p.m.

On January 27, 2014, Mr. Wittner failed to report to the U.S. Probation Office, nor did he contact this officer to explain why. On January 28, 2014, the undersigned officer attempted to contact Mr. Wittner, by phone, which was unsuccessful. A text message was sent to Mr. Wittner, advising him that he had missed our appointment on January 27, 2014, and directing him to report immediately to the U.S. Probation Office.

Prob12C

**Re: Wittner, Douglas E**

**January 30, 2014**

**Page 2**

As of this date, no response has been received from Mr. Wittner, nor has he reported as directed. Furthermore, contact with his state probation officer on January 29, 2014, revealed that he has not made contact with their office, nor has Mr. Wittner responded to their attempts to contact him. Their office is issuing a secretary's warrant as a result.

Mr. Wittner is homeless and therefore no home check can be conducted in an attempt to locate him.

- 2        **Special Condition # 18:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Mr. Wittner underwent a substance abuse assessment in October 2013, which recommended intensive outpatient treatment. Mr. Wittner attended his intake for substance abuse treatment on January 23, 2014, and was scheduled to begin treatment on January 25, 2014.

Contact with the treatment provider revealed that Mr. Wittner failed to attend treatment on both January 25 and January 28, 2014.

- 3        **Special Condition # 19:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Wittner failed to report for random drug testing on January 15, 2014. As a result, the undersigned officer contacted him on January 16, 2014, and directed him to report to the U.S. Probation Office, that date, to provide a urine sample for testing.

Mr. Wittner reported to the U.S. Probation Office as directed, and provided a urine sample for testing. The sample tested positive for amphetamines, and Mr. Wittner initially denied any drug use.

Upon further discussion regarding his behavior and the positive drug test, Mr. Wittner admitted to consuming methamphetamine on or about January 12, 2014, and signed a drug use admission form indicating this use.

Prob12C

**Re: Wittner, Douglas E**

**January 30, 2014**

**Page 3**

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 30, 2014

s/Cassie Lerch

Cassie Lerch  
U.S. Probation Officer

---

## THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other



Signature of Judicial Officer

January 30, 2014

Date